

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)
v.) Case No. 11 CR 479
GLORIA HARPER) Hon. Sharon Johnson Coleman
ALICE SHERROD)
DERRICK EUBANKS)
TOMMIE BODDIE, and)
BARRETT WHITE)

**PROTECTIVE ORDER DIRECTING THE INTERLOCUTORY
SALE OF CERTAIN PROPERTY**

This matter coming before the Court on the government, defendant Tommie Boddie, defendant Barrett White, and defendant Derrick Eubanks' agreed motion for entry of a protective order directing the interlocutory sale of certain property pursuant to the provisions of Title 21, United States Code, Section 853(e)(1)(A), and the Court being fully advised finds as follows:

1. On July 13, 2011, a federal grand jury returned a multi-count indictment charging defendants with honest services wire fraud, in violation of Title 18, United States Code, Sections 1343 and 1346, bribery concerning programs receiving federal funds, in violation of Title 18, United States Code, Section 666, and filing false tax returns.

2. The indictment seeks forfeiture to the United States, pursuant to 18 U.S.C. §981(a)(1)(c), as incorporated by 28 U.S.C. § 2461(c), of any and all right, title, and interest the defendants may have in any property constituting and derived from the proceeds traceable to the wire fraud violations, including the following business

vehicles:

YEAR, MAKE, MODEL	VEHICLE NUMBER
1988 MCI Hawkeye	1TUCH6A7JR006746
1990 Chevrolet Pickup	1GCGK24K8LE136917
1994 International Bus	1HVBAZRP6RH592426
1995 GMC Bus	1GDHG31K4SF508113
1995 GMC Bus	1GDHG31Y2TF503370
1995 Navistar Bus	1HVBBABP8SH265427
1995 Navistar Bus	1HVBBABPXSHP265428
1996 Chevrolet Bluebird	1GBHG31K8TF107660
1996 Ford Aerotech	1FDLE40F7THA82479
1997 Bluebird Bus	1BAAKCSA9VF070360
1997 Mercury Villager GS	4M2DV11166VDJ05653
1997 Thomas Bus	4CDT7AM2XS2700835
1998 Bluebird Bus	1BAAKCSH0WF082282
1998 Bluebird Bus	1BAAHCSH0WF082281
1998 Chevrolet	1GBHG31R2W1088599
1998 Chevrolet GMC 3500 Bus	1GDHG31F2W1076479
1998 Chevrolet Venture GS	1GNDX03EXWD299249
Van	
1998 Ford Windstar GL Van	2FMZA51U4WBC70922
1998 International Bluebird	1HVBBABP6WH634954
Bus	
1999 Bluebird Bus	1BAAKCSH4XF088345
1999 Dodge Grand Caravan	2B4GP24G4XR159744
1999 Dodge Grand Caravan	1B4GP44G1XB602085
1999 GMC Bluebird	1GDL7T1C0WJ514089
1999 International	1HVBBABP0XH237175
1999 International Amtran	1HVBBABP6XH202091
1999 International Amtran	1HVBBABP1XH202094
1999 Pontiac Van Montana	1GMDU06E0XD176361
1999 Pontiac Van Montana	1GMDX03E8XD325837
2000 Bluebird Bus	1GDL7T1C5YJ514835
2000 Dodge Van	2B4GP2537YR852062
2000 GMC Bluebird	1GD67T1C2XJ515102
2000 GMC Bluebird	1GDL7T1C1XJ518203
2000 GMC Corbeil/Bus	1GDJG31F1Y1202920
2000 GMC Corbeil/Bus	1GDJG31F6Y1202833
2000 International Amtran	1HVBBAAP9YH302754
2001 Chevrolet Venture LS	1GNDX03E01D128325
2001 Dodge Grand Caravan	2B8GP44G61R116489
2002 Chevrolet Venture	1GNDX03E82D159808
2002 Dodge Van	2B4GP44R82R705662
2002 Pontiac Montana	1GMDU23EX2D111428

2006 Chevrolet Uplander		1GNDV33L06D126720
2007 GMC Van		1GDFG15T571141046

3. The United States, defendant Tommie Boddie, defendant Barrett White, and defendant Derrick Eubanks request action by this Court because financial responsibilities relating to the subject vehicles are burdensome, including the storage and maintenance of the vehicles. Moreover permitting the sale of the vehicles now would increase the amount, after satisfaction of obligations, that will be available for forfeiture to the United States upon conviction.

4. Pursuant to 21 U.S.C. § 853, this Court has jurisdiction to enter orders or to take other action to preserve and to protect property to insure that the property or its equity will be available for forfeiture in the event of conviction.

5. Title 21, United States Code, Section 853(e)(1) provides in pertinent part:

Upon application of the United States, the Court may enter a restraining order or injunction, require the execution of a satisfactory performance bond, or take any other action to preserve the availability of property described in subsection (a) of this section for forfeiture under this section -

(A) upon the filing of an indictment or information charging a violation of this subchapter or subchapter II of this chapter for which criminal forfeiture may be ordered under this section and alleging that the property with respect to which the order is sought would, in the event of conviction, be subject to forfeiture under this section.

6. Accordingly, in order to preserve the availability of the equity in the vehicle subject to forfeiture this court shall enter a protective order directing the interlocutory sale of the vehicles by the United States Marshals Service, and that the proceeds from the sale, after payment of certain verifiable costs, be retained in an

escrow account maintained by the United States Marshals Service, pending further order of this Court.

7. Further, that to the extent the United States Marshals Service incurs certain costs, the United States Marshals Service shall be permitted to deduct from the proceeds of the sale of the vehicle, any reasonable and necessary costs incurred to effectuate the sale of the vehicle and costs incurred to maintain the vehicle, if any, pending sale.

Accordingly, it is hereby ORDERED, ADJUDGED, AND DECREED:

(a) That, the agreed motion for entry of a protective order allowing the interlocutory sale of:

YEAR, MAKE, MODEL	VEHICLE NUMBER
1988 MCI Hawkeye	1TUCH6A7JR006746
1990 Chevrolet Pickup	1GCGK24K8LE136917
1994 International Bus	1HVBAZRP6RH592426
1995 GMC Bus	1GDHG31K4SF508113
1995 GMC Bus	1GDHG31Y2TF503370
1995 Navistar Bus	1HVBBABP8SH265427
1995 Navistar Bus	1HVBBABPXSH265428
1996 Chevrolet Bluebird	1GBHG31K8TF107660
1996 Ford Aerotech	1FDLE40F7THA82479
1997 Bluebird Bus	1BAAKCSA9VF070360
1997 Mercury Villager GS	4M2DV11166VDJ05653
1997 Thomas Bus	4CDT7AM2XS2700835
1998 Bluebird Bus	1BAAKCSH0WF082282
1998 Bluebird Bus	1BAAHCNSH0WF082281
1998 Chevrolet	1GBHG31R2W1088599
1998 Chevrolet GMC 3500 Bus	1GDHG31F2W1076479
1998 Chevrolet Venture GS	1GNDX03EXWD299249
Van	
1998 Ford Windstar GL Van	2FMZA51U4WBC70922
1998 International Bluebird Bus	1HVBBABP6WH634954

1999 Bluebird Bus		1BAAKCSH4XF088345
1999 Dodge Grand Caravan		2B4GP24G4XR159744
1999 Dodge Grand Caravan		1B4GP44G1XB602085
1999 GMC Bluebird		1GDL7T1C0WJ514089
1999 International		1HVBBABP0XH237175
1999 International Amtran		1HVBBABP6XH202091
1999 International Amtran		1HVBBABP1XH202094
1999 Pontiac Van Montana		1GMDU06E0XD176361
1999 Pontiac Van Montana		1GMDX03E8XD325837
2000 Bluebird Bus		1GDL7T1C5YJ514835
2000 Dodge Van		2B4GP2537YR852062
2000 GMC Bluebird		1GD67T1C2XJ515102
2000 GMC Bluebird		1GDL7T1C1XJ518203
2000 GMC Corbeil/Bus		1GDJG31F1Y1202920
2000 GMC Corbeil/Bus		1GDJG31F6Y1202833
2000 International Amtran		1HVBBAAP9YH302754
2001 Chevrolet Venture LS		1GNDX03E01D128325
2001 Dodge Grand Caravan		2B8GP44G61R116489
2002 Chevrolet Venture		1GNDX03E82D159808
2002 Dodge Van		2B4GP44R82R705662
2002 Pontiac Montana		1GMDU23EX2D111428
2006 Chevrolet Uplander		1GNDV33L06D126720
2007 GMC Van		1GDFG15T571141046

shall be sold at the direction of the United States Marshals Service; it is further ordered,

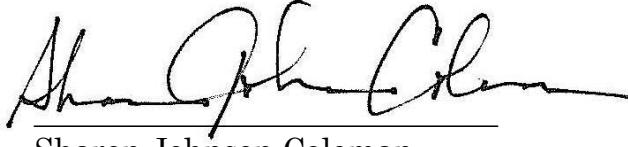
(b) That, the proceeds from the sale of the subject vehicle, after the payment of verifiable costs, shall be retained in the Seized Assets Deposit Fund by the United States Marshals Service pending further order of this Court; it is further ordered,

(c) That the United States Marshal service shall be permitted to inspect and seize the vehicles to effectuate the interlocutory sale and defendants shall execute any documents necessary to effectuate the interlocutory sale of the vehicles; it is further ordered,

(d) That, the United States Marshal Service may incur certain costs and shall

be permitted to deduct from the proceeds of the sale of the subject vehicle, any reasonable and necessary costs incurred to effectuate the sale of the vehicle to maintain the vehicle, if any, pending sale; it is further ordered,

(e) This Court shall retain jurisdiction in this matter to take additional action and enter further orders as necessary to implement and enforce this protective order directing the interlocutory sale of the above-identified real property.



Sharon Johnson Coleman
United States District Judge

DATED: October 26, 2011